



DOCKET NO. 717-446P

#2  
CFR  
9760  
125

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : SHIMONAKA, ATSUSHI  
Application No.: 09/670,820 Group:  
Filed : SEPTEMBER 28, 2000 Examiner:  
For: SEMICONDUCTOR LASER ELEMENT AND ELECTRONIC  
DEVICE USING THE SAME

**REQUEST FOR A CORRECTED OFFICIAL FILING RECEIPT**

Honorable Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

JUN 20 2001

Sir:

Attached hereto is the Official Filing Receipt in connection with the above-identified application.

THE FOLLOWING CORRECTION(S) IS /ARE RESPECTFULLY REQUESTED:

**FOREIGN APPLICATION(S)--**

Please add:

--2000-284429 Japan September 19, 2000--

It is respectfully requested that the United States Patent and Trademark Office forward a new Filing Receipt showing the correction(s) to the undersigned attorney as listed on the enclosed photocopy of our Declaration/Power of Attorney Document.

The correction(s) is /are due to an error by the United States Patent and Trademark Office, therefore no fee is due.

Application No. 09/670,820

If necessary, the commissioner is hereby authorized in this, concurrent, and future replies, to charge payment of credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. 1.16 or under 37 C.F.R. 1.17; particularly, extension of time fees.

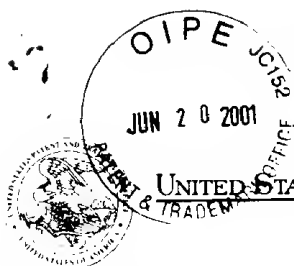
Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

BY:   
TERRELL C. BIRCH,  
Reg. No. 19,382

P.O. Box 747  
Falls Church, VA 22040-0747

Attachment  
TCB/djm  
(703)205-8000



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/670,820	09/28/2000	2881	946	0717-0446P	10	27	2

## FILING RECEIPT

Birch Stewart Kolasch & Birch LLP  
P O Box 747  
Falls Church, VA 22040-0747



Date Mailed: 02/05/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

## Applicant(s)

Atsushi Shimonaka, Nara-shi, JAPAN;

## Continuing Data as Claimed by Applicant

## Foreign Applications

JAPAN 11-275399 09/28/1999

## Title

Semiconductor laser element and electronic device using the same

## Preliminary Class

372

Data entry by : SCOTT, JOSEPH

Team : OIPE

Date: 02/05/2001



FEB - 6 2001

**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 36 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

**PLEASE NOTE the following information about the Filing Receipt:**

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, DC 20231



PLEASE NOTE:  
YOU MUST  
COMPLETE THE  
FOLLOWING



BIRCH, STEWART, KOLASCH & BIRCH LLP

P.O. Box 747 • Falls Church, Virginia 22040-0747  
Telephone: (703) 205-8000 • Facsimile: (703) 205-8050

## COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT AND DESIGN APPLICATIONS

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated next to my name; that I verily believe that I am the original, first and sole inventor (if only one inventor is named below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Insert Title:

Fill in Appropriate  
Information -  
For Use Without  
Specification  
Attached:

SEMICONDUCTOR LASER ELEMENT AND ELECTRONIC DEVICE USING THE SAME

the specification of which is attached hereto. If not attached hereto,  
the specification was filed on September 28, 2000 as  
United States Application Number 09/670,820 (if applicable) and/or  
and amended on \_\_\_\_\_ as PCT  
the specification was filed on \_\_\_\_\_; and was  
International Application Number \_\_\_\_\_ (if applicable)  
amended under PCT Article 19 on \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56. I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representative or assigns more than twelve months (six months for designs) prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

Insert Priority  
Information:  
(if appropriate)

11-275399  
(Number)

Japan  
(Country)

September 28, 1999  
(Month/Day/Year Filed)

☒ Yes ☐ No

2000-284429  
(Number)

Japan  
(Country)

September 19, 2000  
(Month/Day/Year Filed)

☒ Yes ☐ No

\_\_\_\_\_  
(Number)

\_\_\_\_\_  
(Country)

\_\_\_\_\_  
(Month/Day/Year Filed)

☐ Yes ☐ No

\_\_\_\_\_  
(Number)

\_\_\_\_\_  
(Country)

\_\_\_\_\_  
(Month/Day/Year Filed)

☐ Yes ☐ No

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional applications(s) listed below.

Insert Provisional  
Application(s):  
(if any)

\_\_\_\_\_  
(Application Number)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Application Number)

\_\_\_\_\_  
(Filing Date)

All Foreign Applications, if any, for any Patent or Inventor's Certificate Filed More than 12 Months (6 Months for Designs) Prior to the Filing Date of This Application:

Country

Application Number

Date of Filing (Month/Day/Year)

Insert Requested  
Information:  
(if appropriate)

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

I hereby claim the benefit under Title 35, United States Code, §120 of any United States and/or PCT application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States and/or PCT application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

Insert Prior U.S.  
Application(s):  
(if any)

\_\_\_\_\_  
(Application Number)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Status - patented, pending, abandoned)

\_\_\_\_\_  
(Application Number)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Status - patented, pending, abandoned)

I hereby appoint the following attorneys to prosecute this application and/or an international application based on this application and to transact all business in the Patent and Trademark Office connected therewith and in connection with the resulting patent based on instructions received from the entity who first sent the application papers to the attorneys identified below, unless the inventor(s) or assignee provides said attorneys with a written notice to the contrary:



Raymond C. Stewart  
Joseph A. Kolasch  
Bernard L. Sweeney  
Charles Gorenstein  
Leonard R. Svensson  
Andrew D. Meikle  
Joe McKinney Muncy  
John W. Bailey  
Gary D. Yacura

(Reg. No. 21,066)  
(Reg. No. 22,463)  
(Reg. No. 24,448)  
(Reg. No. 29,271)  
(Reg. No. 30,330)  
(Reg. No. 32,868)  
(Reg. No. 32,334)  
(Reg. No. 32,881)  
(Reg. No. 35,416)

Terrell C. Birch  
James M. Slattery  
Michael K. Mutter  
Gerald M. Murphy, Jr.  
Terry L. Clark  
Marc S. Weiner  
Donald J. Daley  
John A. Castellano

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(Reg. No. 28,380)  
(Reg. No. 29,680)  
(Reg. No. 28,977)  
(Reg. No. 32,644)  
(Reg. No. 32,181)  
(Reg. No. 34,313)  
(Reg. No. 35,094)

Send Correspondence to:

**BIRCH, STEWART, KOLASCH & BIRCH, LLP**  
P.O. Box 747 • Falls Church, Virginia 22040-0747  
Telephone: (703) 205-8000 • Facsimile: (703) 205-8050

or Customer No. 2292

PLEASE NOTE:  
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THE  
FOLLOWING:

Full Name of First  
or Sole Inventor  
Insert Name of  
Inventor  
Insert Date This  
Document is Signed

Insert Residence  
Insert Citizenship

Insert Post Office  
Address

Full Name of Second  
Inventor, if any  
see above

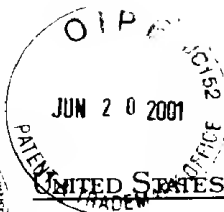
Full Name of Third  
Inventor, if any  
see above

Full Name of Fourth  
Inventor, if any  
see above

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

GIVEN NAME/FAMILY NAME Atsushi SHIMONAKA		INVENTOR'S SIGNATURE <i>Atsushi Shimonaka</i>	DATE* December 18, 2000
Residence (City, State & Country) Nara-shi, Nara JAPAN		CITIZENSHIP Japanese	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country) Esport Narahachika 803, 150-2, Nishikitsujicho, Nara-shi, Nara JAPAN			
GIVEN NAME/FAMILY NAME		INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country)			
GIVEN NAME/FAMILY NAME		INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country)			
GIVEN NAME/FAMILY NAME		INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country)			

\*DATE OF SIGNATURE



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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/670,820	09/28/2000	Atsushi Shimonaka	0717-0446P

Birch Stewart Kolasch & Birch LLP  
P O Box 747  
Falls Church, VA 22040-0747

## FORMALITIES LETTER



\*OC000000005567062\*

Date Mailed: 11/20/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice MUST be returned with the reply.*

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE





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Bib Data Sheet

CONFIRMATION NO. 8768

<b>SERIAL NUMBER</b> 09/670,820	<b>FILING DATE</b> 09/28/2000 <b>RULE</b>	<b>CLASS</b> 372	<b>GROUP ART UNIT</b> 2881	<b>ATTORNEY DOCKET NO.</b> 0717-0446P	
<b>APPLICANTS</b> Atsushi Shimonaka, Nara-shi, JAPAN; <b>** CONTINUING DATA *****</b> <b>** FOREIGN APPLICATIONS *****</b> JAPAN 11-275399 09/28/1999 JAPAN 2000-284429 09/19/2000					
Foreign Priority claimed <input type="checkbox"/> yes <input type="checkbox"/> no 35 USC 119 (a-d) conditions met <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Met after Allowance		<b>STATE OR COUNTRY</b> JAPAN	<b>SHEETS DRAWING</b> 10	<b>TOTAL CLAIMS</b> 27	<b>INDEPENDENT CLAIMS</b> 2
Verified and Acknowledged Examiner's Signature _____ Initials _____					
<b>ADDRESS</b> Birch Stewart Kolasch & Birch LLP P O Box 747 Falls Church, VA 22040-0747					
<b>TITLE</b> Semiconductor laser element and electronic device using the same					
<b>FILING FEE RECEIVED</b> 946	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:		<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees ( Filing ) <input type="checkbox"/> 1.17 Fees ( Processing Ext. of time ) <input type="checkbox"/> 1.18 Fees ( Issue ) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit		

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Bib Data Sheet

CONFIRMATION NO. 8768

<b>SERIAL NUMBER</b> 09/670,820	<b>FILING DATE</b> 09/28/2000 <b>RULE</b>	<b>CLASS</b> 372	<b>GROUP ART UNIT</b> 2881	<b>ATTORNEY DOCKET NO.</b> 0717-0446P
<b>APPLICANTS</b> Atsushi Shimonaka, Nara-shi, JAPAN; <b>** CONTINUING DATA *****</b> NONE MCL <b>** FOREIGN APPLICATIONS *****</b> Yes MCL JAPAN 11-275399 09/28/1999 JAPAN 2000-284429 09/19/2000				
Foreign Priority claimed <input checked="" type="checkbox"/> yes <input type="checkbox"/> no 35 USC 119 (a-d) conditions <input checked="" type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Met after met Allowance Verified and Acknowledged <u>Matthew P. Jendrew</u> Examiner's Signature Initials		<b>STATE OR COUNTRY</b> JAPAN	<b>SHEETS DRAWING</b> 10	<b>TOTAL CLAIMS</b> 27
<b>INDEPENDENT CLAIMS</b> 2				
<b>ADDRESS</b> Birch Stewart Kolasch & Birch LLP P O Box 747 Falls Church, VA 22040-0747				
<b>TITLE</b> Semiconductor laser element and electronic device using the same				
<b>FILING FEE RECEIVED</b> 946	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:		<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees ( Filing ) <input type="checkbox"/> 1.17 Fees ( Processing Ext. of time ) <input type="checkbox"/> 1.18 Fees ( Issue ) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit	

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 10/11/2000  
 11/17/2000  
 02/11/2001